

EXHIBIT 1

S T A T E O F N E W Y O R K

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S E N A T E - A S S E M B L Y

January 18, 2018

IN SENATE -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

IN ASSEMBLY -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read once and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT intentionally omitted (Part A); to amend the real property tax law, in relation to making the STAR income verification program mandatory; to amend the tax law, in relation to the calculation of income for basic STAR purposes; to repeal subparagraphs (v) and (vi) of paragraph (b) of subdivision 4, paragraphs (b) and (c) of subdivision 5 and paragraph (c) of subdivision 6 of section 425 of the real property tax law relating to the school tax relief (STAR) exemption; and to repeal section 171-o of the tax law relating to income verification for a city with a population of one million or more (Part B); intentionally omitted (Part C); intentionally omitted (Part D); to amend the general municipal law, the education law, the state finance law, the real property tax law and the tax law, in relation to making technical corrections to various statutes impacting property taxes; and to repeal subsection (bbb) of section 606 of the tax law, section 3-d of the general municipal law and section 2023-b of the education law, relating thereto (Part E); intentionally omitted (Part F); to amend the real property tax law, in relation to assessment ceilings; and to amend chapter 475 of the laws of 2013, amending the real property tax law relating to assessment ceilings for local public utility mass real property, in relation to the effectiveness thereof (Part G); to amend

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets [] is old law to be omitted.

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1 interfere with, restrain or coerce public employees in the exercise of
2 the rights granted in section two hundred two, or to cause, or attempt
3 to cause, a public employer to do so PROVIDED, HOWEVER, THAT AN EMPLOYEE
4 ORGANIZATION DOES NOT INTERFERE WITH, RESTRAIN OR COERCE PUBLIC EMPLOY-
5 EES WHEN IT LIMITS ITS SERVICES TO AND REPRESENTATION OF NON-MEMBERS IN
6 ACCORDANCE WITH THIS SUBDIVISION; (b) to refuse to negotiate collective-
7 ly in good faith with a public employer, provided it is the duly recog-
8 nized or certified representative of the employees of such employer; or
9 (c) to breach its duty of fair representation to public employees under
10 this article. NOTWITHSTANDING ANY LAW, RULE OR REGULATION TO THE CONTRA-
11 RY, AN EMPLOYEE ORGANIZATION'S DUTY OF FAIR REPRESENTATION TO A PUBLIC
12 EMPLOYEE IT REPRESENTS BUT WHO IS NOT A MEMBER OF THE EMPLOYEE ORGANIZA-
13 TION SHALL BE LIMITED TO THE NEGOTIATION OR ENFORCEMENT OF THE TERMS OF
14 AN AGREEMENT WITH THE PUBLIC EMPLOYER. NO PROVISION OF THIS ARTICLE
15 SHALL BE CONSTRUED TO REQUIRE AN EMPLOYEE ORGANIZATION TO PROVIDE REPRE-
16 SENTATION TO A NON-MEMBER (I) DURING QUESTIONING BY THE EMPLOYER, (II)
17 IN STATUTORY OR ADMINISTRATIVE PROCEEDINGS OR TO ENFORCE STATUTORY OR
18 REGULATORY RIGHTS, OR (III) IN ANY STAGE OF A GRIEVANCE, ARBITRATION OR
19 OTHER CONTRACTUAL PROCESS CONCERNING THE EVALUATION OR DISCIPLINE OF A
20 PUBLIC EMPLOYEE WHERE THE NON-MEMBER IS PERMITTED TO PROCEED WITHOUT THE
21 EMPLOYEE ORGANIZATION AND BE REPRESENTED BY HIS OR HER OWN ADVOCATE. NOR
22 SHALL ANY PROVISION OF THIS ARTICLE PROHIBIT AN EMPLOYEE ORGANIZATION
23 FROM PROVIDING LEGAL, ECONOMIC OR JOB-RELATED SERVICES OR BENEFITS
24 BEYOND THOSE PROVIDED IN THE AGREEMENT WITH A PUBLIC EMPLOYER ONLY TO
25 ITS MEMBERS.

26 S 5. Nothing in this act shall be construed to impede, infringe or
27 diminish the rights and benefits which accrue to an employee organiza-
28 tion through a bonafide collective bargaining agreement.

29 S 6. This act shall take effect immediately.

30 PART SSS

31 Section 1. Subdivision 2 of section 3204 of the education law, as
32 amended by chapter 827 of the laws of 1982, is amended to read as
33 follows:

34 2. Quality and language of instruction; text-books. (I) Instruction
35 may be given only by a competent teacher. In the teaching of the
36 subjects of instruction prescribed by this section, English shall be the
37 language of instruction, and text-books used shall be written in
38 English, except that for a period of three years, which period may be
39 extended by the commissioner with respect to individual pupils, upon
40 application therefor by the appropriate school authorities, to a period
41 not in excess of six years, from the date of enrollment in school,
42 pupils who, by reason of foreign birth or ancestry have limited English
43 proficiency, shall be provided with instructional programs as specified
44 in subdivision two-a of this section and the regulations of the commis-
45 sioner. The purpose of providing such pupils with instruction shall be
46 to enable them to develop academically while achieving competence in the
47 English language. Instruction given to a minor elsewhere than at a
48 public school shall be at least substantially equivalent to the instruc-
49 tion given to minors of like age and attainments at the public schools
50 of the city or district where the minor resides.

51 (II) FOR PURPOSES OF CONSIDERING SUBSTANTIAL EQUIVALENCE PURSUANT TO
52 THIS SUBDIVISION FOR NONPUBLIC ELEMENTARY AND MIDDLE SCHOOLS THAT ARE:
53 (1) NON-PROFIT CORPORATIONS, (2) HAVE A BI-LINGUAL PROGRAM, AND (3) HAVE
54 AN EDUCATIONAL PROGRAM THAT EXTENDS FROM NO LATER THAN NINE A.M. UNTIL

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1 NO EARLIER THAN FOUR P.M. FOR GRADES ONE THROUGH THREE, AND NO EARLIER
 2 THAN FIVE THIRTY P.M. FOR GRADES FOUR THROUGH EIGHT, ON THE MAJORITY OF
 3 WEEKDAYS, THE DEPARTMENT SHALL CONSIDER THE FOLLOWING, BUT NOT LIMITED
 4 TO: IF THE CURRICULUM PROVIDES ACADEMICALLY RIGOROUS INSTRUCTION THAT
 5 DEVELOPS CRITICAL THINKING SKILLS IN THE SCHOOL'S STUDENTS, TAKING INTO
 6 ACCOUNT THE ENTIRETY OF THE CURRICULUM, OVER THE COURSE OF ELEMENTARY
 7 AND MIDDLE SCHOOL, INCLUDING INSTRUCTION IN ENGLISH THAT WILL PREPARE
 8 PUPILS TO READ FICTION AND NONFICTION TEXT FOR INFORMATION AND TO USE
 9 THAT INFORMATION TO CONSTRUCT WRITTEN ESSAYS THAT STATE A POINT OF VIEW
 10 OR SUPPORT AN ARGUMENT; INSTRUCTION IN MATHEMATICS THAT WILL PREPARE
 11 PUPILS TO SOLVE REAL WORLD PROBLEMS USING BOTH NUMBER SENSE AND FLUENCY
 12 WITH MATHEMATICAL FUNCTIONS AND OPERATIONS; INSTRUCTION IN HISTORY BY
 13 BEING ABLE TO INTERPRET AND ANALYZE PRIMARY TEXT TO IDENTIFY AND EXPLORE
 14 IMPORTANT EVENTS IN HISTORY, TO CONSTRUCT WRITTEN ARGUMENTS USING THE
 15 SUPPORTING INFORMATION THEY GET FROM PRIMARY SOURCE MATERIAL, DEMON-
 16 STRATE AN UNDERSTATING OF THE ROLE OF GEOGRAPHY AND ECONOMICS IN THE
 17 ACTIONS OF WORLD CIVILIZATIONS, AND AN UNDERSTANDING OF CIVICS AND THE
 18 RESPONSIBILITIES OF CITIZENS IN WORLD COMMUNITIES; AND INSTRUCTION IN
 19 SCIENCE BY LEARNING HOW TO GATHER, ANALYZE AND INTERPRET OBSERVABLE DATA
 20 TO MAKE INFORMED DECISIONS AND SOLVE PROBLEMS MATHEMATICALLY, USING
 21 DEDUCTIVE AND INDUCTIVE REASONING TO SUPPORT A HYPOTHESIS, AND HOW TO
 22 DIFFERENTIATE BETWEEN CORRELATIONAL AND CAUSAL RELATIONSHIPS.

23 (III) FOR PURPOSES OF CONSIDERING SUBSTANTIAL EQUIVALENCE PURSUANT TO
 24 THIS SUBDIVISION FOR NONPUBLIC HIGH SCHOOLS THAT: (1) ARE ESTABLISHED
 25 FOR PUPILS IN HIGH SCHOOL WHO HAVE GRADUATED FROM AN ELEMENTARY SCHOOL
 26 THAT PROVIDES INSTRUCTION AS DESCRIBED IN THIS SECTION, (2) ARE A
 27 NON-PROFIT CORPORATION, (3) HAVE A BI-LINGUAL PROGRAM, AND (4) HAVE AN
 28 EDUCATIONAL PROGRAM THAT EXTENDS FROM NO LATER THAN NINE A.M. UNTIL NO
 29 EARLIER THAN SIX P.M. ON THE MAJORITY OF WEEKDAYS THE DEPARTMENT SHALL
 30 CONSIDER THE FOLLOWING BUT NOT LIMITED TO: IF THE CURRICULUM PROVIDES
 31 ACADEMICALLY RIGOROUS INSTRUCTION THAT DEVELOPS CRITICAL THINKING SKILLS
 32 IN THE SCHOOL'S STUDENTS, THE OUTCOMES OF WHICH, TAKING INTO ACCOUNT THE
 33 ENTIRETY OF THE CURRICULUM, RESULT IN A SOUND BASIC EDUCATION.

34 (IV) NOTHING HEREIN SHALL BE CONSTRUED TO ENTITLE OR PERMIT ANY SCHOOL
 35 TO RECEIVE AN INCREASE IN MANDATED SERVICES AID PURSUANT TO 8 NYCRR 176
 36 ON ACCOUNT OF PROVIDING A LONGER SCHOOL DAY.

37 (V) THE COMMISSIONER SHALL BE THE ENTITY THAT DETERMINES WHETHER
 38 NONPUBLIC ELEMENTARY AND SECONDARY SCHOOLS ARE IN COMPLIANCE WITH THE
 39 ACADEMIC REQUIREMENTS SET FORTH IN PARAGRAPHS (II) AND (III) OF THIS
 40 SUBDIVISION.

41 S 2. This act shall take effect immediately.

42 PART TTT

43 Intentionally Omitted

44 PART UUU

45 Section 1. Subdivision 3 of section 2825-f of the public health law,
 46 as added by section 1 of part Q of a chapter of the laws of 2018 amend-
 47 ing the public health law relating to the health care facility transfor-
 48 mation program, as proposed in legislative bill numbers S.7507-C and
 49 A.9507-C, is amended to read as follows:

50 3. Notwithstanding section one hundred sixty-three of the state
 51 finance law or any inconsistent provision of law to the contrary, up to
 52 [four hundred seventy-five] FIVE HUNDRED TWENTY-FIVE million dollars of

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1 the funds appropriated for this program shall be awarded without a
2 competitive bid or request for proposal process for grants to health
3 care providers (hereafter "applicants"). Provided, however, that a mini-
4 mum of: (a) sixty million dollars of total awarded funds shall be made
5 to community-based health care providers, which for purposes of this
6 section shall be defined as a diagnostic and treatment center licensed
7 or granted an operating certificate under this article; a mental health
8 clinic licensed or granted an operating certificate under article thir-
9 ty-one of the mental hygiene law; a substance use disorder treatment
10 clinic licensed or granted an operating certificate under article thir-
11 ty-two of the mental hygiene law; a primary care provider; a clinic
12 licensed or granted an operating certificate under article sixteen of
13 the mental hygiene law; a home care provider certified or licensed
14 pursuant to article thirty-six of this chapter; or hospices licensed or
15 granted an operating certificate pursuant to article forty of this chap-
16 ter and (b) forty-five million dollars of the total awarded funds shall
17 be made to residential health care facilities.

18 S 2. This act shall take effect on the same date and in the same
19 manner as Part Q of a chapter of the laws of 2018, amending the public
20 health law relating to the health care facility transformation program,
21 as proposed in legislative bill numbers S.7507-C and A.9507-C, takes
22 effect.

23 S 2. Severability clause. If any clause, sentence, paragraph, subdivi-
24 sion, section or part of this act shall be adjudged by any court of
25 competent jurisdiction to be invalid, such judgment shall not affect,
26 impair, or invalidate the remainder thereof, but shall be confined in
27 its operation to the clause, sentence, paragraph, subdivision, section
28 or part thereof directly involved in the controversy in which such judg-
29 ment shall have been rendered. It is hereby declared to be the intent of
30 the legislature that this act would have been enacted even if such
31 invalid provisions had not been included herein.

32 S 3. This act shall take effect immediately, provided, however, that
33 the applicable effective date of Parts A through UUU of this act shall
34 be as specifically set forth in the last section of such Parts.